

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HON. MYRON H. THOMPSON, JUDGE AT MONTGOMERY, ALABAMA
DATE COMMENCED APRIL 18, 2006 AT 10:05 A.M./P.M.
DATE COMPLETED APRIL 18, 2006 AT 11:05 A.M./P.M.
UNITED STATES OF AMERICA)
)
v) Cr No. 2:05-cr-00290-MHT
)
EDDIE ANDREW GORDON)

<u>PLAINTIFF(S)/GOVERNMENT</u>	<u>APPEARANCES</u>	<u>DEFENDANT(S)</u>
AUSA Tommie Hardwick	X X Attys Kevin Butler, Banks Smith X	

<u>COURT OFFICIALS PRESENT:</u>		
Sheila Carnes, Courtroom Clerk	Kevin Kish, Law Clerk	Mitchell Reisner, Court Reporter

PROCEEDINGS:

() NONJURY TRIAL
(x) OTHER PROCEEDING: MOTION HEARING

10:05 a.m. Court convened.
Motion hearing commenced on Defendant's MOTION to Withdraw Attorney (Butler) and for Substitution of Counsel (Smith) [24]. AUSA Hardwick excused from this portion of proceeding. **ORAL ORDER** SEALING this portion of the hearing, if ever transcribed. Atty Butler and defendant Gordon heard re motion to withdraw. **ORAL ORDER** ALLOWING defense counsel to file any motions in limine today (out of time).
10:18 a.m. Break (defendant to confer with Atty Smith).
10:44 a.m. Hearing continued.
Defendant's oral representation that he desires to continue with Atty Butler's representation. Waiver of Rights Under Speedy Trial Act filed. Defendant's ORAL MOTION to continue trial to August 7, 2006, term (for plea negotiation or additional trial preparation).
10:46 a.m. AUSA Hardwick returned to proceeding.
Atty Butler to file motion to file dispositive motions out of time, if motions are determined necessary. No objections to continuance of trial by AUSA. Defendant's motion to withdraw attorney, etc., will be denied based on defendant's oral representation in court; oral motion to continue will be granted. **ORAL ORDER** directing the Clerk to temporarily appoint Atty Banks Smith for purposes of this hearing (only)
11:05 a.m. Hearing concluded.